

1 had to go to see my counselor. He'd been asking me and
2 asking me if I would bring Matt over for a visit,
3 because Matt was struggling. He couldn't understand why
4 he couldn't see his daddy. And at that time, I said he
5 could stay there while I went to the meeting, but when I
6 got done, he asked if he could spend the night.

7 Q. Which meeting did you go to? And we're talking
8 about February 16th, 1985.

9 A. It was with my counselor, Jeannette Dezsofi.

10 Q. Did your counselor -- did you inform your
11 counselor that you had dropped your son off at the
12 motel?

13 A. I don't think it would have come up. There was
14 no reason why.

15 We're working on our marriage. We don't know
16 if Ray is guilty or not. We don't know about the boys.
17 There was, in my mind, nothing wrong with leaving him
18 there.

19 Q. When you took him to the motel, is it correct
20 that you didn't have pajamas for him?

21 A. No, because he wasn't going to spend the night.

22 I had a meeting with my counselor. Ray and I
23 had been shopping that day and I was going to pick him
24 up and take him home. Ray convinced me to leave him for
25 the night; otherwise, if I knew he was going to spend

1 Q. I just want to understand your thought process
2 taking your four-year-old child to a motel and leaving
3 him with someone who'd been charged with child
4 molestation.

5 A. I didn't believe he was guilty at the time. I
6 loved my husband. We didn't know if it was DeAnne or
7 Karen or Matt or her or if it was anybody at the time.
8 If I thought it was, I wouldn't have left him there.

9 MR. DUNN: Ms. Zellner, I'm going to ask that
10 you move on. I think this is getting down to the point
11 where you're badgering my client. I don't see this line
12 of questioning as productive any further, unless you've
13 got some matters you want to go into. But you've
14 drilled this in as far as it should go, I think.

15 MS. ZELLNER: Well, over your objections -
16 again, this is a federal deposition. I'm not sure that
17 you're aware of the issues - but your objection is noted
18 for the record.

19 BY MS. ZELLNER:

20 Q. And I'll ask, Ms. Spencer, is there anything in
21 addition to what you told me about your thought process
22 in leaving Little Matt at the Salmon Creek Motel,
23 anything else you want to add?

24 A. There's nothing else to add.

25 Q. I'm not asking you that.

1 MR. DUNN: Counsel, please don't interrupt her
2 answers.

3 THE WITNESS: I don't know what to say. I'm
4 telling you what I feel, what I know and what's fact.
5 There were a lot of people that she had accused of doing
6 this. At this time, it wasn't proved to me that he was
7 guilty of anything. We're working on our marriage. I
8 believed my husband. He said it was DeAnne trying to
9 turn the kids against him. I believed him. And I would
10 not have subjected my son, if I'd have known in my heart
11 for sure that he was -- had done something to Kathryn.
12 I wouldn't have done it.

13 BY MS. ZELLNER:

14 Q. Now, you said that you weren't sure who had
15 done it because Kathryn had accused DeAnne, and she'd
16 accused Little Matt and Karen Stone, but you would agree
17 with me that none of those people had been arrested for
18 Kathryn's allegations of molestation, right, except Ray
19 Spencer?

20 A. Yes. And I still believed Ray Spencer.

21 Q. Okay. So you, then, pick your son up the next
22 day after he's spent the night with Ray Spencer; is that
23 right?

24 A. I did.

25 Q. And I think on your son's birthday, Little

SHIRLEY JEAN SPENCER 12.06.12

Page 88

1 Matt's birthday, 2-20-85, Ray Spencer comes to your
2 house; is that right?

3 A. For a birthday party.

4 Q. And up until that time, 2-20-85, had you given
5 a gun to Michael Davidson as a gift, had you given him
6 one of Ray's gun?

7 A. Never, ever have I ever given a gun to Mike
8 Davidson.

9 Q. Had you discussed with Mike Davidson, prior to
10 taking Little Matt to the Salmon Creek Motel, had you
11 had any discussions with Mr. Davidson about taking
12 Little Matt to the motel?

13 A. No. There was no reason for me to have a
14 discussion with him about it.

15 Q. So the answer is no, right?

16 A. That's what I said. No.

17 Q. So what happens at this birthday party with
18 Little Matt when Ray Spencer arrives?

19 A. First thing he did when he came in, before we
20 even got going on the birthday, is he went upstairs and
21 checked -- his guns weren't in his gun cabinet and he
22 wanted his guns, and he got hostile about it.

23 Q. Why weren't his guns in the gun cabinet?

24 A. They were up in the attic.

25 Q. Who put them there?

SHIRLEY JEAN SPENCER 12.06.12

Page 89

1 A. I did. I didn't want them around.

2 Q. And how long -- does Mr. Spencer then leave?

3 A. I think we got in a big argument, and I think
4 that they came after him. I can't remember exactly how
5 it went, but I think -- I know we got in an argument
6 because he couldn't have his guns, and he was afraid
7 they'd be ruined.

8 Q. Okay.

9 MS. ZELLNER: What I'm going to ask the
10 opposing counsel is if we could break at this point for
11 lunch because then I'm going to go into the reports of
12 Sharon Krause and her meetings with the deponent. Is
13 that all right with everyone, because it's a quarter to
14 2:00 here.

15 MR. DUNN: I don't have any problem with that.

16 MS. FETTERLY: 1:30, maybe, our time?

17 MR. BOGDANOVICH: No, not 1:30. It's only
18 quarter to 12:00 right now. 12:30?

19 MS. ZELLNER: We'll do that, 12:30 your time.

20 (Lunch recess taken.)

21 MS. ZELLNER:

22 Q. I just want to ask you a couple more things
23 check. Do you recognize this name, Darla Schlegel?

24 A. Are you asking me that? I don't recognize that
25 name. I've never heard it, that I know of.

1 document. You said Alcoholics Anonymous, and it says
2 Al-Anon. There's a difference.

3 BY MS. ZELLNER:

4 Q. Okay. Let's do it your way. Al-Anon.

5 MS. FETTERLY: A big difference.

6 BY MS. ZELLNER:

7 Q. So is that true?

8 MS. ZELLNER: Miss Fetterly, I ask that you not
9 start testifying.

10 BY MS. ZELLNER:

11 Q. Go ahead.

12 A. That's absolutely not true. I've never been a
13 drinker, ever. And maybe I should clarify it. Once or
14 twice a year I have one drink. I can't drink any more
15 than that because I go numb. I don't drink. And I
16 never have gone to Al-Anon or whatever this is or
17 Alcoholics Anonymous. I'm not a drinker.

18 Q. Okay. Just asking the question.

19 Let's go back to the Salmon Creek Motel. What
20 time did you pick Little Matt up the next day?

21 A. Actually, I did not pick him up. Ray brought
22 him to the restaurant down in Vancouver, the Who Song &
23 Larry's and we had lunch. He brought Matt to me.

24 Q. And what did you observe about Little Matt, if
25 anything?

1 A. He was very flushed, like he had a fever, very
2 lethargic. He didn't want to talk. He just wanted to
3 lay his head on the table. And I thought he was sick.
4 I didn't know what was the matter with him.

5 Q. Anything else?

6 A. I was going to take him back to the bathroom,
7 and Ray said, no, let me do it and he took him. And
8 when he came back, he acted like nothing happened. He
9 sat up, ate, talked.

10 Q. Do you remember anything else about his
11 condition at the restaurant?

12 A. Not at the restaurant, no.

13 Q. At a certain point in time after Little Matt
14 has spent the night at the Salmon Creek Motel, do you
15 have further contact with Sharon Krause?

16 A. I don't think so, except with the gun
17 situation, you know, him picking his guns up, for not
18 having his guns. It was after that.

19 Q. Okay. Do you remember on or about February
20 21st that you got a phone call from Sharon Krause and
21 that in the phone call she mentioned that the two of you
22 had not spoken since she interviewed the kids in
23 Sacramento?

24 A. Right.

25 Q. Do you remember anything like that?

SHIRLEY JEAN SPENCER 12.06.12

Page 100

1 A. Yes.

2 Q. Did she offer to assist you in trying to deal
3 with the situation?

4 A. I think at that time she wanted to show me
5 Kathryn's report.

6 Q. So do you remember that around February 22nd of
7 1985 that you actually meet with her in person and she
8 shows you the reports on Kathryn?

9 A. Yeah. Yes.

10 Q. Does she also talk to you about DeAnne Spencer
11 and meeting with her?

12 A. Yeah, I'm sure. I'm sure she probably did talk
13 to me about DeAnne.

14 Q. And did she also, in that meeting, does she
15 tell you that she's concerned or at least worried about
16 Little Matt?

17 A. It wasn't until after the gun situation, I
18 think, that I talked to her about Little Matt, after the
19 -- after his birthday.

20 Q. Because I think, just to help you with the time
21 frame, so his birthday is on 2-20. And then sometime -
22 and I've got the date of February 22nd - you have a
23 meeting. But you do remember having a meeting with her
24 in person; is that right?

25 A. Yes, yes.

1 Q. And do you remember in that meeting what the
2 discussion was about your son, Little Matt?

3 A. I remember her asking me that she was concerned
4 maybe something happened to Matt or not.

5 Q. Okay. Did Detective Krause offer to interview
6 Little Matt at that time?

7 A. Yes, she did.

8 Q. At first did you indicate to her that you might
9 -- you would prefer that -- let me rephrase that.

10 Did you indicate to her that you'd like to
11 discuss the potential of her interviewing Little Matt
12 with your therapist?

13 A. Yes.

14 Q. And tell me what was your thinking about that.
15 Were you just trying to be careful, or why did you want
16 to talk to the therapist first?

17 A. I just thought that it would be good for him to
18 see a therapist instead, you know, no other reason that
19 I can think of.

20 Q. At that point in time, around February 22nd,
21 you didn't know anything that had supposedly happened at
22 the motel; is that right?

23 A. No, I didn't.

24 Q. And then at a certain point in time, around
25 February 27th, do you have a meeting with Detective

1 Krause in her office?

2 A. Yes.

3 Q. In that meeting, do you remember her asking you
4 if Matt had ever complained about his penis hurting or
5 rectum? Do you remember her asking you those questions?

6 A. Yeah, about his bottom hurting, because he had
7 complained about his bottom hurting or tummy hurting.

8 Q. And had Little Matt's complaints about his
9 bottom and his tummy hurting, had they been after
10 February 16th, after the Salmon Creek?

11 A. Yeah, it was after the birthday, I'm pretty
12 sure.

13 Q. Did you take Little Matt for a medical exam at
14 a certain point in time?

15 A. Yes, I did.

16 Q. What were the results of the medical exam on
17 Little Matt?

18 A. I really wasn't privy to that information. He
19 just said it was hard to tell in a child that small
20 because their muscles are so flexible, strong, whatever
21 he said. I don't remember the exact words he said.

22 Q. Was it your idea to take Little Matt for the
23 exam or did Detective Krause recommend it?

24 A. Detective Krause recommended it.

25 Q. And after Little Matt's medical exam, did you

SHIRLEY JEAN SPENCER 12.06.12

Page 104

1 Q. Right.

2 A. I didn't conclude anything. I just know what
3 Sharon Krause said he said. I don't know. I don't know
4 conclude.

5 Q. When the information comes out that Little Matt
6 has been sexually -- allegedly sexually molested by Ray
7 Spencer, does the information go to Sharon Krause and
8 then Sharon Krause tells you what Little Matt said?

9 A. She told me what his reports were to her, yes.

10 Q. Did Little Matt ever report anything directly
11 to you during that time period?

12 A. He talked to me about the bubble bath and he
13 was afraid to take bubble baths. That was clear back
14 when Ray was there.

15 Q. Did Little Matt tell you why he was afraid to
16 take bubble baths?

17 A. He told Sharon.

18 Q. So just so it's clear on the record, does
19 Little Matt ever describe any of the sexual molestation
20 of him that allegedly occurred at the motel?

21 A. At the motel? No.

22 Q. Does Little Matt ever describe to you any
23 sexual molestation that occurred to him by Ray Spencer?

24 A. Clear back then it was just him being afraid to
25 take a bubble bath and for me to take his rectal

SHIRLEY JEAN SPENCER 12.06.12

Page 105

1 temperature when he was sick.

2 Q. All right. Other than that information,
3 though, was there anything else that Little Matt told
4 you about related to any sexual molestation?

5 A. No.

6 Q. Did Little Matt ever, after the Salmon Creek
7 Motel, did he ever tell you that nothing had happened at
8 the motel?

9 A. He has never recanted anything to this date.

10 Q. But I'm asking you back around February 22nd,
11 did Little Matt ever tell you that nothing had happened
12 at the motel?

13 A. No, he did not tell me nothing had happened at
14 the motel.

15 Q. I'm correct that he doesn't tell you what
16 happened. He tells Sharon Krause.

17 A. Yeah. I only remember some things about the
18 temperature and the bubble bath.

19 Q. Did Sharon Krause then interview Little Matt at
20 some point in time about the Salmon Creek Motel?

21 A. She did about me taking him over there.

22 Q. And then after she interviews him, she reports
23 to you what he said.

24 A. Oh, I don't remember.

25 Q. Is that correct?

1 A. Yes. I took it to Sharon Krause and she gave
2 it to Mike Davidson and he took it up there. He came
3 back and said he wouldn't sign it.

4 Q. Okay. And why did you give the quitclaim deed
5 to Sharon Krause?

6 A. Because I didn't want to see Ray and I hadn't
7 had any contact with him. And I didn't want to go to
8 the jail.

9 Q. So you asked Sharon Krause if she could take
10 the quitclaim deed?

11 A. Yes.

12 Q. And then how did you learn Detective Davidson
13 took the quitclaim deed to Ray Spencer?

14 A. I was there. I gave it to Sharon. Sharon
15 asked Mike if he would take it up. He took it up. He
16 came back and gave it back and said he wouldn't sign it.

17 Q. Okay. When you say you were there, were you in
18 the sheriff's office?

19 A. Yeah. I was in Sharon's cubicle, yeah.

20 Q. At any other time are you aware of whether
21 Sharon Krause or -- whether Sharon Krause got any
22 documents in to Ray Spencer at the jail?

23 A. I have no clue.

24 Q. Are you aware of whether a power of attorney
25 was taken to the jail by Michael Davidson for Ray 's

SHIRLEY JEAN SPENCER 12.06.12

Page 116

1 A. Not offhand, no.

2 Q. Do you know the street name?

3 A. I just know where I go. I don't pay attention.
4 It's right off Highway 99 in Hazel Dell.

5 Q. How old is Ralph?

6 A. 50.

7 Q. And you said his friend's name was Bill
8 Squires?

9 A. I think that's what it was. I'm not sure.

10 Q. Do you have any idea where Bill Squires is
11 today?

12 A. He's deceased, committed suicide.

13 Q. When did you move out of the Lucia Falls house?

14 A. 1985, 5 of 1985, which would be May of '85.

15 Q. And where did you move?

16 A. To a house across the river.

17 Q. Does the house across the river have an address
18 that you remember?

19 A. Yeah. Can I get it out?

20 Q. Sure.

21 A. I don't remember it on the top of my head, but
22 I have it written down.

23 Q. Okay.

24 A. It's 18308 N.E. Cole Witter, C-o-l-e, another
25 name Witter, Road, Battle Ground, Washington.

SHIRLEY JEAN SPENCER 12.06.12

Page 117

1 Q. Thank you.

2 And then when you moved to the house on Cole
3 Witter Road, do you live there with anybody else?

4 A. Mike Davidson moved in around the fall.

5 Q. You're talking about the fall of 1985?

6 A. Yes, I think it was. That was June. Yeah,
7 fall, it was right after that.

8 Q. And then how long do you live in that house on
9 Cole Witter Road with Mike Davidson?

10 A. On and off for two or three, four years. I
11 couldn't even tell you. It's so long ago. I don't have
12 dates. It's not something I remember, dates. It was on
13 and off, though, for at least a couple of years.

14 Q. And then do you move somewhere else with
15 Detective Davidson?

16 A. No, he moved out.

17 Q. Do you remember giving statements previously
18 that your relationship with Davidson lasted about five
19 years?

20 A. Well, I wasn't sure. I couldn't remember
21 exactly, two, three, four, five years. I don't know. I
22 don't keep track of all that.

23 Q. But you're aware, aren't you, from looking at
24 past statements that you've made that you've said five
25 years?

1 A. Yeah, I'm aware of it.

2 Q. And then what year is it, is it 1989 when you
3 part company with Detective Davidson?

4 A. It could have been around there. Like I said,
5 I don't keep track of it. I don't know.

6 Q. Why did you split up with Detective Davidson?

7 A. Because there was a lot of issues with Matt and
8 I, a lot of anger and a lot of, you know, we're upset
9 all the time and mistrust, you know. It just wasn't
10 working for us.

11 And I really wasn't in love with him, I guess,
12 because when we started dating in June, it was mainly
13 somebody to lean on, I guess, you know. I was so
14 confused and upset and so was Matt.

15 Q. When you say -- you said that Matt had some
16 problems with anger and --

17 A. Yeah, a lot of issues.

18 Q. What were the issues?

19 A. He'd hit and push and cry and stuff like that.

20 Q. Where does Matt Hansen live today?

21 A. He lives in a little place on my property.

22 Q. And how would you describe your relationship
23 with Matt Hansen as of today?

24 A. We have a good relationship.

25 Q. How old is he now?

SHIRLEY JEAN SPENCER 12.06.12

Page 120

1 A. I think it's been about a year ago.

2 Q. Do you know what the crime was?

3 A. Yeah, he got into drugs.

4 Q. So the charge against him related to drugs?

5 A. Yeah, drugs or breaking into my house when he
6 was on drugs.

7 Q. Does Matt Hansen have any children?

8 A. He has a daughter, a five-year-old daughter.

9 Q. And does he have custody of her or does her
10 mother?

11 A. The mother has custody.

12 Q. What is the mother's name?

13 A. Stephanie.

14 Q. What's her last name?

15 A. Snow.

16 Q. Do they also live close to you?

17 A. No. They live an hour away in Rainier, Oregon.

18 Q. You said that you first -- I think you said
19 something about your first date with Detective Davidson
20 was in June, was it, of 1985?

21 A. Yes.

22 Q. When is the last time that you talked to
23 Michael Davidson?

24 A. Oh, my gosh, 15, 20 years ago. I can't even
25 tell you for sure.

SHIRLEY JEAN SPENCER 12.06.12

Page 122

1 MR. DUNN: Deed.

2 THE WITNESS: -- that paper I took in there,
3 quitclaim deed. He didn't talk to me about seeing him
4 any other time.

5 BY MS. ZELLNER:

6 Q. Did Michael Davidson ever tell you that he'd
7 gotten in trouble with the jail staff, jail personnel,
8 for visiting Ray Spencer?

9 A. No.

10 Q. He never told you that?

11 A. Not that I remember.

12 Q. Okay. Did Michael Davidson ever tell you that
13 he had attempted to convince Ray Spencer to plead
14 guilty?

15 A. No.

16 Q. Would you agree with me that the first time you
17 go out in public with Michael Davidson is in June of
18 1985?

19 A. 1985, in June.

20 Q. That's the first time you go out in public,
21 right?

22 A. Well, never saw him privately before then,
23 either.

24 Q. When does -- does he ask you out or do you ask
25 him out?

1 arguing and he did that.

2 Q. Did he say anything when he held the gun to his
3 head?

4 A. I don't remember if he said something like I
5 might as well not be living or whatever. I don't really
6 know. I don't remember his exact words it was so long
7 ago.

8 Q. Okay. Did you ever have, in your relationship
9 with Michael Davidson, did you ever have any physical
10 confrontations with him?

11 A. No, no. It was verbal.

12 Q. And would you say that towards the end of that
13 relationship, before you split up, was that relationship
14 fairly stressful?

15 A. It was, because Matt and I were stressed all
16 the time. I'm sure that's probably caused a lot of it.

17 Q. And do you think the stress for you and Matt
18 came from the whole investigation and prosecution and
19 conviction of Ray Spencer?

20 A. That, and him being molested. The whole thing,
21 every all together. It was really hard on everything.

22 Q. How long did you continue your therapy with the
23 therapist that you mentioned?

24 A. I quit -- I went a couple of years and I had to
25 quit going for Matt so he could go. It was really

SHIRLEY JEAN SPENCER 12.06.12

Page 130

1 Thank you for your patience.

2 THE WITNESS: I'm not very patient, am I?

3 MS. ZELLNER: No, you are. You are. It's hard
4 to remember all this.

5 MS. FETTERLY: Do you need a break? I know
6 some of the counsel will have a few questions for you.
7 Do you want a break first or do you want to proceed?

8 THE WITNESS: I'm fine.

9 MS. FETTERLY: Just for the record, my name is
10 Patricia Fetterly, and I will be the next questioner.

11

12 EXAMINATION

13 BY MS. FETTERLY:

14 Q. I just want to establish, Ms. Spencer, it is
15 true, is it not, that on August 24th and 25th, 1984,
16 when Kathryn made her disclosures to you, you didn't
17 know Mike Davidson? You'd never met him by that time;
18 is that right?

19 A. No, I never met him until Ray went in for
20 his --

21 Q. The first polygraph?

22 A. Yeah, the first polygraph.

23 Q. Would it also be fair to say that you didn't
24 even know who Mike Davidson was in August of 1984?

25 A. I didn't know who anybody was at the County.

1 Q. Including Mike Davidson?

2 A. Including Mike Davidson, Sharon Krause, any of
3 them.

4 Q. And you didn't know Jim Peters?

5 A. Didn't know him. And I still don't remember.

6 Q. Okay. As you just alluded to, am I correct
7 that the first time you would have met Mike Davidson
8 would be the date of the -- of your then husband's first
9 polygraph, which I think the record shows was September
10 21st, 1984? Would that be correct?

11 A. That would be correct.

12 Q. And on that occasion, you come -- you come with
13 your then husband to the Clark County sheriff's office;
14 is that right?

15 A. That's right.

16 Q. Was that your first meeting with either Mike
17 Davidson or Sharon Krause?

18 A. Yes, that was the first time I ever saw him.

19 Q. And would the next time you ever met Mr.
20 Davidson be the date of the second polygraph, which I
21 think the record established is September 24th, 1985?

22 A. That's right.

23 Q. And am I also correct from your former -- from
24 the testimony you gave a little while ago that the next
25 time you would even have gone to the sheriff's office

SHIRLEY JEAN SPENCER 12.06.12

Page 132

1 would have been when you were interviewed yourself by
2 Detective Krause somewhere around late February 1985?
3 Would that also be correct?

4 A. Yes.

5 Q. So you made no visits, then, to the sheriff's
6 office between September 24th, 1984, and approximately
7 February 27th, 1985. Would that be accurate?

8 A. That's accurate. As I recall.

9 Q. And am I correct that you, as you just
10 testified, were interviewed at the sheriff's office by
11 Detective Krause, I believe it's been established on
12 February 27th, 1985? Do you recall meeting Mike
13 Davidson on that occasion at the sheriff's office?

14 A. No. Sharon was the interviewer. I only saw
15 Mike there a couple of times, that I was with Ray or if
16 he walked past.

17 Q. But you didn't interact with him, would that be
18 fair to say?

19 A. That's exactly right.

20 Q. And then I believe you testified that you took
21 your son, Matt, I think the following day on February
22 28th, 1985, to the sheriff's office, and was that again
23 to be interviewed by Detective Krause?

24 A. Yes, it was.

25 Q. Did you have any interaction with Detective

SHIRLEY JEAN SPENCER 12.06.12

Page 133

1 Davidson on that occasion?

2 A. No, I didn't.

3 Q. And then did you have some other occasions to
4 take Matt, your son Matt, in that same time frame,
5 meaning late February 1985 maybe into early March 1985,
6 to the sheriff's office again to be interviewed by
7 Detective Krause?

8 A. I don't know how many times I was in there to
9 see her for an interview for Matt. A couple of times.

10 Q. I think there's some references in deposition
11 testimony that you gave earlier that it seemed like you
12 were there all the time or words to that effect. Was
13 that, again, to see Detective Krause in this same time
14 frame?

15 A. Yes, it was. And it did seem like it was every
16 day because it was ongoing for months, you know. And I
17 know that I wasn't there, but it felt like it, you know,
18 there was so much stress.

19 Q. It felt like it to you. I understand what your
20 answer is.

21 But am I correct, the purpose of those trips to
22 the sheriff's office in that time frame, meaning
23 February, March 1985, was not to see Detective Davidson;
24 is that right?

25 A. That's right. I didn't even like him then.

SHIRLEY JEAN SPENCER 12.06.12

Page 134

1 Q. Okay. And then you testified, too, on one
2 occasion interacting with Detective Davidson when on a
3 visit to see Detective Krause, you had a quitclaim deed
4 with you and she gave it to Detective Davidson to take
5 to Mr. Spencer?

6 A. Yes, that's true.

7 Q. Was that the only time that you can recall
8 interacting with Detective Davidson in the Clark County
9 sheriff's office --

10 A. Yes.

11 Q. Let me finish. -- between September 24th,
12 1984, and that date that he took the quitclaim deed?

13 A. Yes, ma'am. That's true.

14 Q. And I think you testified that your personal
15 relationship with Detective Davidson did not begin until
16 June of 1985; is that right?

17 A. That's true.

18 Q. On any time prior to you beginning to date him
19 after June of 1985, did you ever see Detective Davidson
20 alone, in private?

21 A. Never.

22 Q. And was your sole interaction with him what
23 you've just described in your testimony today, meaning
24 you saw him twice in September of 1984 when you
25 accompanied your husband for the polygraphs, and you

SHIRLEY JEAN SPENCER 12.06.12

Page 135

1 might have seen him in the office but not interacted
2 with him when you came to be interviewed by Detective
3 Krause, and that you saw him on one occasion sometime
4 after that where he took the quitclaim deed? Would
5 those summarize your only interactions with him with
6 Detective Davidson up to June of 1985?

7 A. That's exactly right.

8 Q. Now, I want to turn now to your home that you
9 owned on Lucia Falls Road. Was this a house on the
10 Lewis River?

11 A. Yes, ma'am, it was.

12 Q. When the Spencer children visited you in the
13 summer of 1984, was this where you and your family were
14 then living when the Spencer children came to visit?

15 A. Yeah. I lived there since '77, that same
16 house.

17 Q. Because Kathryn describes in one of the reports
18 a house on the river. To the best of your recollection,
19 that you and her father lived in, would that be that
20 house to the best of your knowledge?

21 A. That's that house.

22 Q. Because it was, in fact, on a river, right?

23 A. It's on the Lewis River.

24 Q. What was the purchase price of that home in
25 1977?

SHIRLEY JEAN SPENCER 12.06.12

Page 136

1 A. 39,000.

2 Q. Did you have to take a loan to buy the home?

3 A. Yes.

4 Q. You didn't pay cash, in other words?

5 A. No. I had no money, no.

6 Q. Well, very few people do. That's not a
7 criticism.

8 Do you recall what your mortgage payments were
9 on the home when you -- after you bought it?

10 A. 300 a month.

11 Q. Was that something you could afford at the
12 time?

13 A. Yeah, I was doing okay on 300 a month.

14 Q. And when you married Mr. Spencer, which I think
15 you said was in 1983, did he and you then live in that
16 home, because that's where you were living with your
17 family, correct?

18 A. We didn't live in that house, per se, because
19 it had to be remodeled. He wouldn't move into it. We
20 lived in his rental home in Orchards. It took eight
21 months to remodel the house, and then we moved into the
22 house.

23 Q. I think you told me when I spoke with you last
24 week that you recall the remodeling being finished by
25 March of 1984; is that accurate?

SHIRLEY JEAN SPENCER 12.06.12

Page 137

1 A. That's accurate.

2 Q. To do this remodeling, was it just a matter of
3 a little bit of repainting, or was it an extensive
4 remodel where you had to take a loan to do the remodel?

5 A. I had to take a loan.

6 Q. Approximately how much -- this would have been
7 a new loan over and above the purchase loan you had that
8 you were paying 300 a month for?

9 A. It would have been a second.

10 Q. A second?

11 A. Yeah.

12 Q. Approximately how much of a second loan did you
13 and -- I take it Mr. Spencer would have had to sign on
14 the loan documents as well, correct?

15 A. That's what the quitclaim deed was for. They
16 wouldn't remodel the house until his name was on it,
17 because back then, women didn't have a lot of rights,
18 and I wasn't making enough money on my own. So he did
19 the quitclaim so we could remodel the house.

20 Q. Was that the remodel that was being done at his
21 insistence as opposed to yours?

22 A. Yes, I was fine. I had lived there six, seven
23 years for my family. He didn't like it. He called it
24 an outhouse. It was a cabin.

25 Q. What was the principal amount of that second

1 loan that you had to take?

2 A. About 43,000.

3 Q. And then when you added that to -- I take it
4 you still owed money on your first loan that you took
5 out to buy the house; is that right?

6 A. Yes.

7 Q. Approximately how much debt did you then have,
8 you and he then have on the house?

9 A. What do you mean? How much all together?

10 Q. Right, all together.

11 A. I don't know.

12 Q. Well, would it have been 70, \$80,000 range?

13 A. Right in there somewhere. And then he insisted
14 on a garage, so that was another loan.

15 Q. So by this time, you went from owing maybe
16 30-some-thousand on the house or maybe less to close to
17 80,000 on the home. Would that be accurate?

18 A. That's accurate.

19 Q. And did it require both your income and his
20 income to make the payments on that now close to \$80,000
21 loan?

22 A. Yes, ma'am.

23 Q. Now, did Mr. Spencer contribute any cash toward
24 the remodel of your home or the improvement of your
25 home?

SHIRLEY JEAN SPENCER 12.06.12

Page 139

1 A. Absolutely none. He didn't own anything. He
2 didn't have any money to put anything down on it.

3 Q. So this remodel was financed entirely by you
4 and he jointly taking out this second mortgage; is that
5 correct?

6 A. Right.

7 Q. Did this result in considerably higher monthly
8 mortgage payments than you had before? I think you said
9 before it was 300 a month.

10 A. Yeah, it brought it up another 300, and I can't
11 remember exactly. And then the garage on top of that.

12 Q. After Mr. Spencer was in jail and was not
13 receiving -- and had been terminated, I take it by the
14 Vancouver Police Department, and you had to rely solely
15 on your income, could you afford those payments?

16 A. I made them, but it was a struggle. I went
17 under financially. I couldn't keep it up.

18 Q. Is that why you wanted to list the home?

19 A. Yeah.

20 Q. At the time -- excuse me --

21 A. Yes.

22 Q. -- go ahead. Was that what you were responding
23 with?

24 A. Part of it was because the payments were so
25 high and I made around 20,000 a year, if I remember.

SHIRLEY JEAN SPENCER 12.06.12

Page 140

1 Q. Since Mr. Spencer's name was now on the house
2 title, were you able to even sell it without first him
3 quit -- signing a quitclaim deed?

4 A. I wasn't able to sell it, period. Things
5 weren't moving right then. And I couldn't afford to
6 stay there. And emotionally it was really hard to stay
7 there for Matt and I and so I had it listed.

8 And the realtor offered me \$5,000 for the house
9 and I took the 5,000 and he took it over. My son and
10 his friend that I named, Bill, they were living in the
11 house up until the time that he took it over.

12 Q. So when Mr. Spencer made statements in the past
13 that Mr. Davidson moved in with you into his house,
14 meaning Mr. Spencer's house, is that really accurate?

15 A. It's not accurate at all. He never lived in
16 that house, ever, meaning Mike Davidson.

17 Q. And is it correct that Mr. Spencer hadn't
18 really had any ownership in that house for any lengthy
19 period of time? Would that be accurate?

20 A. We were in there about maybe eight months,
21 maybe, ten months, somewhere in that area, before he
22 went to jail.

23 Q. And other than possibly assisting with the
24 house payments, Mr. Spencer never put any money into
25 that house, which had previously belonged solely to you.

1 Is that accurate?

2 A. That's accurate.

3 Q. Did you ever take possession of any of Mr.
4 Spencer's guns?

5 A. No. Did you have more to say? Sorry.

6 Q. Go ahead. You can explain your answer, I
7 think.

8 A. When we had the problem with him insisting on
9 his guns, the sheriff -- sheriff's office took the guns
10 for a while for safekeeping, and I didn't want them in
11 the house because of the problem. And eventually,
12 through the divorce, he was awarded the guns in the
13 divorce. I asked for them to pay bills, but it was a
14 civil matter so they gave them to him. And eventually
15 they went to Ray's best friend, Leo Clark, that he lived
16 with in Hazel Dell.

17 The only gun that didn't go there went to that
18 police officer that took him to the hospital, Tom -- was
19 it Tom? --

20 Q. Gibson?

21 A. -- Gibson. There was something like -- it
22 looked like -- it was a big gun, like a revolver or
23 police gun, and I was scared to use it for protection,
24 so he traded me for a little gun. And that's where that
25 gun went. The rest of them Leo Clark got.

SHIRLEY JEAN SPENCER 12.06.12

Page 151

1 MS. FETTERLY: I'd ask the reporter to hand Ms.
2 Spencer the document that has now been marked as Exhibit
3 B.

4 THE WITNESS: I have it.

5
6 EXAMINATION

7 BY MS. FETTERLY:

8 Q. And Ms. Spencer, can you take a look at that
9 document, and just -- I just want you to verify that
10 that is actually a copy of the handwritten statement you
11 made on or about August 25th, 1984, which documents your
12 conversation with Kathryn Spencer of August 24 and 25,
13 1984; is that correct?

14 A. That's correct.

15 Q. Is that a true and accurate copy of your
16 original notes --

17 A. Exactly.

18 Q. -- documenting those conversations?

19 A. Exactly.

20 Q. Just so the record was clear, in the earlier
21 portion of your deposition, there was some rather
22 extensive questioning by Ms. Zellner concerning your
23 handwritten document. And previously the record had
24 stated that that document was Tab A-1. Do you recall
25 that testimony where you were questioned about that

SHIRLEY JEAN SPENCER 12.06.12

Page 152

1 handwritten document at some length?

2 A. Yeah, I remember. Ours just said exhibits.

3 Q. And you read extensively in response to Ms.

4 Zellner's question from that document.

5 A. Yes, ma'am.

6 Q. Is that the document you read from earlier in

7 your deposition the document that's been marked as

8 Exhibit B?

9 A. Yes, ma'am.

10 MS. FETTERLY: Thank you. I wanted to clarify

11 that for the record.

12 (Deposition concluded at 2:12 p.m.)

13

14

15

16

17

18

19

20

21

22

23

24

25

84-8506

(1)
 Fri. Aug. 24, 1984, about 9:00pm
 the kids all wanted to sleep on the
 front room floor and watch the
 Video as they had the night before.
 While they were watching the cartoon
 I took a shower. When I finished
 I put on a movie and Kathryn and
 Big Matt asked me to lay between
 them on the floor. While watching
 the movie Ray was at work.
 Around 10:00 or 10:30, the boys fell
 asleep. Kathryn asked me if I
 could rub my tummy. Which was
 normal for the all of each other's
 back, legs, feet, tummies etc. Some-
 times a whole family project. While
 she rubbed my tummy she held
 her hand up and tried to expose
 my top a few times. And I said
 Kathryn ah! then said Close
 off the her actions. She would
 put her arm across my chest
 and try to move my shirt and
 feel my breast and I sneak a look
 to see if Big Matt was watching.
 I again said Kathryn and she slid
 her hand back to my tummy. All
 of a sudden she slid her hand

Exhibit B
 12-6-12
 Date: S. Spencer
 Rider & Associates
 800-869-0864

Spencer-05222

84-8506

(5)

down to my front. Startled, I said Kathryn, and she jerked her hand away. She said, "mommie can I rub your peepee." I said no Kathryn. She said, "Can I rub your peepee and when I'm done, will you put my peepee." She said it feels good. Can I. She said Karen let me rub her peepee. I said no. I will rub your back and tummy not your peepee. She kept insisting she wanted me to do this for it felt so good. She would grab my hand and try to push it to her peepee. I said no. She again said Karen and my mommies let me rub their tummies and peepees. At that I started questioning her about Karen, then her mom. She told me her dad was away hunting and Karen was laying off the bed with Kathryn. Karen had Kathryn untie her robe and rub her tummy, then her breast, then she let her rub her peepee. I asked her then what and she said Karen rubbed her peepee.

84-8506

③

I asked Kathryn how many times did this happen. She said a few. I then asked her about her mom. She said pretty much the same things that she rubbed each other's tummys - tops and peepers. I said was this only when mommies put medicine on your peeper? Cause it was soft. She said no. She said it other times when it didn't need medicine. She again asked me if I would rub her peeper. I said I would rub her back and tummy not her peeper. She then said daddy lets me rub her peeper and she rubs my peeper. That really got me up. So I kept it light as we watched the video and tried to question her mom. I asked her where the boys were when this happened and she said asleep. I asked her where I was and she said at work. I asked her how many times for 1 or 2 or 3. She said a whole bunch. She said daddy told her not to tell. I said then why

84-8506

C (4)

are you telling me Kathryn. I
 said I wanted you to know I
 said are you going to tell your
 mom my Dad and she said
 no. She would never do that.
 I asked her to try she said
 Mommy would laugh at me.
 I asked her if she was going
 to tell anyone else. She said
 no. Ray came home from work
 and I didn't know what to do
 or say. I never come up against
 anything like this before. I was
 scared for Kathryn, Ray, Mary.
 I didn't know what my mind what
 to do what to say or how to say
 it, but I just couldn't do or say
 anything. I talked with Kathryn
 more and the next day Ray
 left of work, I took the kids to
 the beach. While the boys were
 Kathryn laid on the blanket to
 keep warm and we talked some
 more. She said her story
 about her mom and Karen and
 went into more detail about her
 dad and her and Big Matt.

84-8506

C 3

C 1

C 1

She said Big Matt stuck his finger in his son's mouth. I asked her about any other men or women she said no. Every time Big Matt came around she said shut Matt's company. She said you don't tell dad and I said no, and don't you say anything. She said dad told me not to tell you and you tell me not to tell dad. I said that's a little different. She again asked me about why I wouldn't put her people. I couldn't make her feel dirty so changed the subject. She said I excited you. I said Kathryn you put my tummy not my piece. You touched it once and mom told you no. She said I know but I can't mom, it feels good. I said no and started questioning her again. She said dad would lay on his back and she would lay on his tummy. They started out with dad in his robe in shorts and her in her nightgown and pajamas. Then she said she took off her pants and slid

84-8506

①

daddy's clump and he put his
 pee pee between her legs. I asked
 her then what she said. He
 tried to put it in her little hole,
 but it was too big. I said did it
 hurt and she said yes. I said
 then what did daddy do. She said
 I told daddy it was too big and
 he said what can I say. I said girl.
 She said I don't know. I said
 then what. She said no then kissed
 her pee pee and she kissed his
 and tried to put it in her
 mouth. I asked her if she ever
 got sore and she said yes. And I
 said from what she said from
 rubbing it. I asked her if he
 said nice things to her and she
 said he kisses me and tells me he
 loves me and tells me I have a
 pretty bottom. I asked her if she
 likes this and she says yes
 and she loves her daddy and does
 he do this to me. I said that's
 different Kathryn.

②

Kathryn feels good about all
 this. She likes it and wants if
 more. She said she wants to know

84-8506

what it feels like to do more. I
 didn't know how to tell her that
 this wasn't right with out making
 her feel bad or dirty. I asked
 her if she was telling me stories.
 She said no. I said you wouldn't
 tell me lies. She said no. You're
 making it up. No. I asked her if
 she was afraid of me. She said yes.
 I said why. I never have spanked
 you. Are you afraid of that. Well
 my mother & father would
 spank me and send me to my
 room. I said you know I wouldn't
 do that. She said I know. She
 said then is this all so. She
 said yes. I then got batteries
 and called the Circuit Court because
 I didn't know what else to do.
 I asked a nurse if I should
 tape Kathryn. She said if wouldn't
 do any good. It wouldn't hold
 up in Court. So I didn't tape
 her. Ray then called and I
 told him. Then he took it to
 Sac. Calif. Court.

Shirley J. Spencer